

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

United States of America,

Plaintiff,

v.

Case No. 2:16-cr-180

Malek F. Jalal,

Defendant.

ORDER

Defendant has filed a motion to vacate pursuant to 28 U.S.C. §2255. In a report and recommendation filed on September 1, 2021, the magistrate judge recommended that the government's motion to dismiss for lack of a live case or controversy be denied. The parties were advised that the failure to object to the report and recommendation within fourteen days would result in forfeiture of rights on appeal. Doc. 99, p. 6. The time for filing objections has expired, and no objections have been filed.

The court agrees with the report and recommendation. The court hereby adopts the report and recommendation (Doc. 99) and the government's motion to dismiss (Doc. 88) is denied.

Date: September 20, 2021

\_\_\_\_\_  
s/James L. Graham  
James L. Graham  
United States District Judge